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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,041	04/21/2004	Kazuhiko Nimura	FP04-007US	7407
1218	7590	10/07/2005	EXAMINER	
CASELLA & HESPOS 274 MADISON AVENUE NEW YORK, NY 10016			ZARROLI, MICHAEL C	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/829,041

Applicant(s)

NIMURA, KAZUHIKO

Examiner

Michael C. Zarroli

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-7 and 10-16 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 8 is/are rejected.
- 7) ☒ Claim(s) 4 and 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claim 5 objected to because of the following informalities: In line 13 of the amended claim "ot." Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ichio et al.

Ichio discloses a connector (10) comprising; a housing (11) having front and rear ends (fig. 15) and at least one terminal accommodating space (13) extending between the front and rear ends for accommodating at least one terminal fitting (41), a holder (fig. 14) extending from the rear end of the housing, the holder having a wire (45) accommodating space (numerous figures but fig. 30 is one of

the best, also fig. 8 at 18A) communicating with the terminal accommodating space (e.g. figures 8, 30 or 32) and extending angularly (90 degrees) from the terminal accommodating space, the wire accommodating space being configured to accommodate at least part of a wire (45) connected with the terminal fitting (fig. 15) so that the wire is bent substantially into an L-shape (e.g. fig. 15), and a bite-in portion (fig. 15 to immediate right of 13A reference line end) formed integrally with the holder on an inner surface of the wire accommodating space (fig. 15 at about 13A.), the biting in portion projecting into the wire accommodating space for plastically deforming at least part of the wire by biting in a bent portion of the wire (unnumbered fig. 15).

Regarding claim 2 Ichio discloses that the bite-in portion is disposed to bite in the bent portion of the wire at a position of an inner side with respect to bending (fig. 15 at 13A line axis).

Regarding claim 3 Ichio discloses that the terminal accommodating space accommodates the terminal fitting with a longitudinal axis of the terminal fitting substantially aligned with forward and backward directions (FBD) of the connector (fig. 15 horizontal axis, left to right).

4. Claim 8 rejected under 35 U.S.C. 102(e) as being anticipated by Tabata.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior

art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Tabata discloses a connector (fig. 3), comprising: a housing (10) having opposite front and rear ends (fig. 4) at least one terminal accommodating space (11) for at least partly accommodating at least one terminal fitting (13), a holder (fig. 8 at 20) substantially at the rear end of the housing, the holder defining a wire accommodating space (34S, see fig. 11) communicating with the terminal accommodating space (fig. 4) and adapted to accommodate at least part of a wire (15A) connected with the terminal fitting so that the wire has bent portion (unnumbered fig. 4) bent substantially into an L-shape, and a locking section (21D) formed integrally with the holder (various figures e.g. 4) and projecting from an inner surface of the wire accommodating space at a location spaced from the housing (figures 4, 8 etc.), the locking section projecting sufficiently into the wire accommodating space for engaging a portion of the wire (fig. 4) extending from the bent portion towards a side (34) opposite the terminal fitting for substantially preventing longitudinal displacement of the wire.

*Allowable Subject Matter*

5. Claims 5-7 and, 10-16 are allowed over the prior art of record.
6. Claims 4 and, 9 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form **including all of the limitations of the base claim and any intervening claims.**

The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 4 the bite in portion projecting from wall of the housing adjacent the rear. Regarding claim 5 the holder and bite in portion used with the wire that has had an outer layer stripped. Further regarding **amended** claim 5 the examiner agrees with the applicant's argument that there is no motivation or suggestion to combine Ichio et al with Kanagawa et al to reject. Because of Ichio's "bite in portion" here would be no reason to strip away the outer layer of the wire.

A reason for allowance of other claims was given in the previous office action.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-3 and 8 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendments to the claims.

The wire is bitten into as shown by Ichio et al in figure 15 at the immediate right of 13A reference line end. The fact that this portion of Ichio's is a jell like material is inconsequential.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

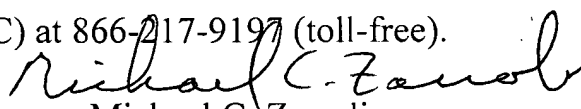
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T.C. Patel can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Michael C. Zarroli  
Primary Examiner  
Art Unit 2839

MCZ  
MCZ